IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 25307 of 2007(K)

AGAINST THE ORDER IN EP.2289/04 IN
OS.137/2003 of II ADDL.MUNSIFF COURT,THRISSUR
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PETITIONER:

M.K. SIVAKUMAR,
S/O. MELE VEETIL KUZHANTHA VELU PILLAI,
KOORKENCHERRY VILLAGE AND DESOM,
THRISSUR TALUK.

BY ADV. SRI.P.PUSHPARAJAN
SRI. P.R.S. RAJA

RESPONDENTS:
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1. M/S. LIONS CORPORATION
REGISTERED OFFICE AT PALLISSERY VILLAGE,
PALAKKA DESOM, THRISSUR TALUK.

2. T.V. JAYANTHI,
W/O. MELEVEETTIL SIVAKUMAR,
KOORKENCHERRY VILLAGE AND DESOM,
THRISSUR TALUK.

3. T.K. PAUL,
S/O. THAZHENKKADAN KOCHI VAREED,
(THEKKEKKARA), PARALAM VILLAGE,
AMMADEM DESOM, THRISSUR TALUK.

BY/

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN , J

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W.P.(C) NO. 25307 OF 2007

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Dated this the 20th day of August, 2007.

JUDGMENT

This writ petition is preferred challenging the sale proclamation issued by the Munsiff Court, Thrissur in O.S. No. 137/2003 and E.P. 2289/2004. The writ petitioner is liable to pay the decree amount which comes to more than Rs.15,000/-. The sale is proclaimed with respect to 2/6 shares of the writ petitioner over the property and the value shown by the decree holder as well as the judgment debtor has been incorporated in the sale proclamation. So the objections raised against the proclamation is without any validity and therefore it has to be rejected. The learned counsel for the writ petitioner submits that his client is prepared to pay the amount provided some time is given for making the payment. I am inclined to grant some time. If the petitioner pays Rs.5,000/- on 22.08.2007, the sale on that day shall stand adjourned and he is also directed to pay the balance amount in two equal instalments commencing from

22.09.2007. If he commits any default of making payment as stipulated above, the benefits granted to him will remain cancelled and the decree holder can proceed to sell the property on the sale proclamation as if the judgment debtor has waived his right for fresh proclamation since time is granted at his instance.

SD/-M.N. KRISHNAN, JUDGE.

rv

/True Copy/

P.A to Judge.